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PTO/SB/01 (12-97)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	39740-0009A
	First Named Inventor	David Agus, et al.
	COMPLETE IF KNOWN	
	Application Number	Unassigned
	Filing Date	Herewith
	Group Art Unit	Unassigned
	Examiner Name	Unassigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

GENE EXPRESSION MARKERS FOR RESPONSE TO EGFR INHIBITOR DRUGS

(Title of the Invention)

the specification of which
☒ is attached hereto
OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(h) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/445,968	February 6, 2003	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

(Page 1 of 2)

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number   

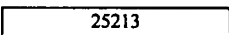
OR

☐ Registered practitioner(s) name/registration number listed below

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Number Bar
Code Label here

Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

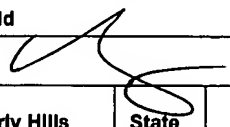
Direct all correspondence to: ☐ Customer Number or Bar Code Label  25213 OR ☐ Correspondence address below

Name	Ginger R. Dreger, Esq.						
Address	Heller Ehman White & McAuliffe, LLP						
Address	275 Middlefield Road						
City	Menlo Park	State	CA	ZIP	94025		
Country	USA	Telephone	650.324.7000		Fax	650.324.0638	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))				Family Name or Surname			
David				Agus			
Inventor's Signature						Date	2/2/04
Residence: City	Beverly Hills	State	CA	Country	US	Citizenship	US
Post Office Address	522 N. Crescent Drive						
Post Office Address							
City	Beverly Hills	State	CA	ZIP	90210	Country	US

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto:

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PTO/SB/02A (3-97)

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DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page <u>3</u> of <u>3</u>
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Steven				Shak			
Inventor's Signature				Date			
Residence: City	Hillsborough	State	CA	Country	US	Citizenship	US
Post Office Address		648 Fairway Circle					
Post Office Address							
City	Hillsborough	State	CA	ZIP	94010	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Maureen				Cronin			
Inventor's Signature				Date			
City	Los Altos	State	CA	Country	US	Citizenship	US
Post Office Address		771 Anderson Drive					
Post Office Address							
City	Los Altos	State	CA	ZIP	94024	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Joffre				Baker			
Inventor's Signature				Date			
City	Montara	State	CA	Country	US	Citizenship	US
Post Office Address		P.O. Box 371212					
Post Office Address							
City	Montara	State	CA	ZIP	94937	Country	US

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	Examiner Name	Unassigned

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				YES	NO
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			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number OR

OR

☐ Registered practitioner(s) name/registration number listed below

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Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label OR ☐ Correspondence address below

Name	Ginger R. Dreger, Esq.					
Address	Heller Ehrman White & McAuliffe, LLP					
Address	275 Middlefield Road					
City	Menlo Park	State	CA	ZIP	94025	
Country	USA	Telephone	850.324.7000		Fax	650.324.0638

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))				Family Name or Surname			
David				Agus			
Inventor's Signature						Date	
Residence: City	Beverly Hills	State	CA	Country	US	Citizenship	US
Post Office Address	522 N. Crescent Drive						
Post Office Address							
City	Beverly Hills	State	CA	ZIP	90210	Country	US

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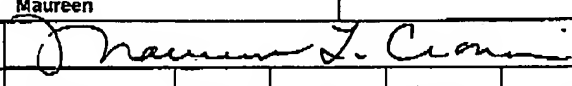
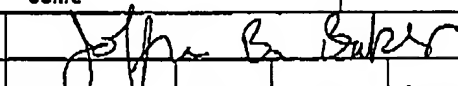
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Steven				Shak			
Inventor's Signature						Date	2/3/04
Residence: City	Hillsborough	State	CA	Country	US	Citizenship	US
Post Office Address	648 Fairway Circle						
Post Office Address							
City	Hillsborough	State	CA	ZIP	94010	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Maureen				Cronin			
Inventor's Signature						Date	2/6/04
City	Los Altos	State	CA	Country	US	Citizenship	US
Post Office Address	771 Anderson Drive						
Post Office Address							
City	Los Altos	State	CA	ZIP	94024	Country	US
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Joffre				Baker			
Inventor's Signature						Date	2/2/04
City	Montara	State	CA	Country	US	Citizenship	US
Post Office Address	P.O. Box 371212						
Post Office Address							
City	Montara	State	CA	ZIP	94937	Country	US

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